



# *CITY COUNCIL*

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## ***Public Safety Committee***

**Monday, May 1, 2009  
5:00 p.m.**

**Attendance:** D. Sterner, M. Goodman-Hinnershitz, S. Marmarou

**Other City Staff Attending:** S. Katzenmoyer, W. Heim, C. Younger, M. Mayes, R. Hottenstein

Dennis Sterner, Chair, called the meeting to order at 5:47 p.m.

### **I. Vacant Property Registration**

Mr. Hottenstein reminded the Committee that at the last discussion of this ordinance, Council's position was not to enact the ordinance if it was not going to be enforced. He questioned what the Committee saw as the goal of this ordinance.

Mr. Marmarou noted that vacant properties many times owe back taxes and fees. He questioned how many vacant properties are in the City. Mr. Mayes stated that he did not have a firm number.

Mr. Hottenstein stated that the blighted property study indicated that there are 2200 blighted properties. He is unsure if the study indicates the number of vacant properties.

Mr. Marmarou noted the numerous properties that have been vacant for many years. He again stated his belief that these properties owe taxes and fees. Chief Heim stated that this ordinance focuses on health and safety issues, not on collection issues. He stated that the Codes department is not ready to enforce this ordinance since they are still dealing with rental housing issues.

Ms. Goodman-Hinnershitz noted five vacant properties in her district that are within two blocks. She noted that neighboring properties are often affected which causes the blight to spread.

Mr. Marmarou described the situation at 1510 Linden St. This property is vacant. The property manager is no longer involved and there has been juvenile activity in the property. Mr.

Marmarou noted his fear of fires being set. Chief Heim noted that the owner can be cited for property maintenance code violations but that the City would not abate the weeds, etc.

Mr. Hottenstein noted that abatement only occurs in extreme cases. He noted the work being done to institute the codes ticketing system.

Mr. Mayes stated that during his work in New Jersey, abatement was a last resort. He noted the problems collecting the fees from the property owner. He stated his desire to complete the housing permit process be complete before this ordinance is enacted.

Mr. Mayes informed the Committee that he has met with Wayne Cockrell from Reading Beautification on the blight issue. He stated that there are eight property owners in the Blighted Property Review process that cannot be located. He stated that positive progress has been made in this area.

Mr. Sterner noted that owners of vacant properties do not respond to requests from the City. He noted his belief that legal means should be used to get action. He questioned how many blighted homes were vacant.

Mr. Mayes stated that better data is needed.

Mr. Reinhart joined the meeting at this time.

Ms. Goodman-Hinnershitz requested that vacant homes be identified and a database created. She again noted the affect vacant properties have on row homes.

Mr. Hottenstein requested a legal brief on abandoned property legislation in Pennsylvania. Mr. Younger agreed to prepare this brief.

Mr. Hottenstein will review the blighted property study to determine if vacant properties were identified.

Mr. Hottenstein stated his belief that the vacant property registration process is too cumbersome for staff at this time.

This issue will be discussed at the next Public Safety Committee meeting.

## **II. Disruptive Conduct Ordinance**

Mr. Marmarou noted that this ordinance does not assist in evicting troublesome student neighbors. He noted that lowering the number to two DCRs has helped but that students simply move to another nearby property, usually one owned by the same property owner.

Mr. Sterner noted that this is a problem City-wide. He requested creating a list of tenants who have received two DCRs. Mr. Younger stated that a list can be created but the City cannot prevent landlords from renting to these tenants.

Mr. Sterner noted that good landlords would check the list.

Ms. Goodman-Hinnershitz stated that this assumes the landlords care about who they rent their units to. She stated her belief that if problem behaviors are to be targeted that criminal charges need to be filed.

Mr. Marmarou questioned if the property owner and tenant could be cited. Chief Heim stated that the proof needed to cite the owner is difficult to find.

Mr. Marmarou questioned if the housing permit could be pulled. Chief Heim stated that there must be proof that the owner knew about the poor behavior. He stated that on average, out of 100 situations, proof can only be found once.

Mr. Marmarou questioned if property owners are required to submit tenant lists. Mr. Reinhart noted that they are.

Mr. Younger stated that perhaps the City could declare the property a public nuisance. He stated that the owner could challenge this in court.

Ms. Goodman-Hinnershitz stated that this is a common problem in college neighborhoods. She requested that the Kutztown and Millersville ordinances be reviewed.

Mr. Reinhart stated that he can revoke the housing permit for an individual property but not for all the properties owned by the same entity.

Mr. Hottenstein questioned if there was another way to address these quality of life issues.

Ms. Goodman-Hinnershitz stated her belief that problem tenants move to other rentals and remain problems in other neighborhoods.

Mr. Sterner questioned if the DCR is issued to a particular person. Chief Heim explained that the DCR affects all tenants in the affected unit.

Mr. Marmarou noted that Albright's keg crawl is this coming weekend. He stated he knows where it will be taking place. He questioned what could be done. Chief Heim stated that as long as there is no under age drinking, nothing can be done unless behaviors get out of control. He

noted his work with officers to lower their tolerance level and cite these behaviors each time they are on the scene.

Mr. Sterner questioned the progress with the 800 foot rule.

Mr. Marmarou noted seven student houses are in the 1500 block of N. 14<sup>th</sup> St.

Mr. Reinhart stated that this would be a zoning issue.

Mr. Mayes noted that he was unfamiliar with this regulation. He will research the issue and follow up with the zoning inspector.

Mr. Reinhart stated his belief that since this applies only to rentals with three or more people, if you have three or fewer, every property in the City can be a rental.

Ms. Goodman-Hinnershitz stated that there is a consortium of colleges who meet regularly to discuss issues such as this. She noted that this should continue to be monitored.

Ms. Goodman-Hinnershitz questioned if discussions with Albright are ongoing. Mr. Marmarou stated that they are. Chief Heim stated that things were pretty quiet and then there were several bad weekends.

### **III. Discussion on zoning and housing permits for student rentals**

Ms. Katzenmoyer explained that it is hoped that these student rentals can be targeted for enforcement of the permit process. She stated that neighbors know where these rentals are located. She requested that these rentals receive priority through the permit process.

Mr. Sterner questioned how applications are processed. Mr. Reinhart stated that all applications are a priority.

Mr. Hottenstein questioned if this would be the registration process or the full permit process. Mr. Sterner stated that it would be the full permit process.

Mr. Mayes and Mr. Reinhart stated that applications are processed as they are received.

Mr. Reinhart stated that Codes has cleared its backlog. He further stated that there are only two inspectors working on finding unregistered rentals.

Mr. Marmarou stated his belief that property owners will always find loopholes.

### **IV. Fires at City parks**

Ms. Katzenmoyer and Ms. Goodman-Hinnershitz relayed situations at Pendora Park and Neversink Playground involving youths setting fires. Chief Heim stated that if neighbors and/or people at that park witness the behavior, they should approach the officer responding as many times the officer does not question neighbors.

## **V. Codes Ticketing System**

Mr. Sterner questioned the progress of moving to this system. Mr. Reinhart stated that he is meeting with vendors regarding equipment needs. He is currently researching the hardware and software needs.

Mr. Sterner questioned when this system would be ready to be implemented. Mr. Reinhart stated that he would need three to four months to gather the necessary information and prepare the ordinance for introduction.

Chief Heim explained that the system being investigated would be hand-held devices for codes personnel.

The Public Safety Committee meeting adjourned at 6:52 p.m.

*Respectfully submitted by  
Shelly Katzenmoyer, Deputy City Clerk*

### **Issues for Follow-Up:**

- Legal brief on abandoned property legislation in Pennsylvania
- Number of vacant properties in the City
- Review Kutztown and Millersville DCR Ordinances
- List of tenants receiving DCRs
- List of property owners without rental permits
- Enforcement of 800 foot rule for student rentals
- Zoning progress for properties in the rental registration/permit process
- Codes ticketing system